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SUPERVISING CORONER
FOR ONTARIO

OFFICE AD. 6465-6
RESIDENCE KI. 4555



86 LOMBARD STREET
TORONTO



TO:

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THE HONOURABLE THE LIEUTENANT-GOVERNOR IN COUNCIL

By Patent, dated April 1, 1942, I was appointed,-
'to investigate, inquire into and report upon all matters per-
taining to a statement appearing in the issue of March 31, 1942,
of the Globe and Mail, a newspaper published in the City of
Toronto, as follows:

"Controller Duncan said he had evidence
to the effect that many Toronto relievees
had died from malnutrition due to the
'inadequacy' of the past relief schedules."

Pursuant to the Patent I proceeded on April 8th and
9th to inquire into the matter thus referred to me and heard
counsel for the Attorney-General, counsel for the Commission
and counsel for other interested parties. I also heard Con-
troller James Lewis Duncan, K.C., to whom reference is made
in the Patent as counsel and as a witness.

No evidence whatsoever was given to indicate, and
none of counsel affirmed, that any Toronto relievees had died
from malnutrition due to the inadequacy of the past relief
schedules. At this stage, therefore, and so far as the Inquiry

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has proceeded, I must find and report that, although diligent inquiry was made of witnesses and counsel, there was nothing presented to establish that Toronto relievees had died from malnutrition due to the inadequacy of the past relief schedules.

Counsel for some interested parties and Controller Duncan represented that the Inquiry should extend to all aspects of unemployment relief.

In undertaking this inquiry I did not understand that I would be expected and still do not think that I have any power under the Patent, to do more than inquire as to whether Toronto relievees had died from malnutrition due to the inadequacy of the past relief schedules. Such an Inquiry, in my view, requires definite evidence as to specific Toronto persons alleged to have so died followed by evidence to establish the cause of death and, specifically, whether death had resulted from malnutrition due to the inadequacy of the past relief schedules.

Counsel for certain interested parties have urged me to state a case for the Court of Appeal. I expressed a willingness to do so and advised such counsel verbally and by letter accordingly. To-day I am in receipt of a letter from one of such counsel insisting that a case be stated in terms framed by these counsel by April 21st. In all sincerity of purpose I am unable to agree that a case should be stated in the terms required by these counsel particularly because of the fact that no names of any dead people have been submitted to me. I have, therefore, advised them to-day by letter that I must refuse to state a case for the Court of Appeal.



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If the Inquiry were to be extended in accordance with the terms these counsel are insisting upon, it is apparent from the evidence already adduced and the statements of counsel that such an Inquiry would likely result in a finding that no Toronto relievees had died from malnutrition due to the inadequacy of the past relief schedules or with conjecture only as to the cause of death of certain persons. Such an Inquiry would probably take several months.

It would be impossible for me to undertake such an extensive Inquiry involving so much time on account of my duties as Supervising Coroner for the Province of Ontario and my professional engagements. If, therefore, the Inquiry is to proceed on any other lines or to any greater extent than to inquire into whether any Toronto relievees have died from malnutrition due to the inadequacy of the past relief schedules I must retire from the Inquiry and hereby request that my Patent be cancelled.

(Smirle Lawson)

Dated at Toronto this
17th day of April, 1942.

